

Message Text

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APPROVED BY D-MR. SAMUELS

S/FW - MR. BRITTIN

S/S -O: W. NEWLIN

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FM SECSTATE WASHDC

TO AMCONSUL JERUSALEM IMMEDIATE

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TOSEC 183

E.O. 11652: GDS

TAGS: UN; PBOR

SUBJECT: INFORMATION ON MAGNUSON BILL (S-1988) AND WHY WE
OPPOSE IT

1. IN RESPONSE TO YOUR REQUEST FOLLOWING ARE THE ESSENTIALS
OF THE MAGNUSON BILL AND WHY WE OPPOSE IT. THE ACTING
SECRETARY WILL TESTIFY FOR THE EXECUTIVE BRANCH ON THE BILL
AT 10:00 A.M. MAY 3.

2. ESSENTIALS OF THE BILL: AS AN INTERIM MEASURE THE BILL
WOULD EXTEND UNILATERALLY THE CONTIGUOUS FISHERIES ZONE OF
THE U.S. FROM 12 MILES TO 200 MILES SO AS TO PROTECT THE
U.S. DOMESTIC COASTAL FISHING INDUSTRY UNTIL AGREEMENT IS
REACHED IN INTERNATIONAL NEGOTIATIONS ON THE LAW OF THE SEA.
THE BILL WOULD ALSO EXTEND UNILATERALLY U.S. JURISDICTION
OVER ANADROMOUS (E.G., SALMON) FISH THROUGHOUT VIRTUALLY
THEIR ENTIRE RANGE. THE SECRETARY OF STATE WOULD BE
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REQUIRED TO INITIATE NEGOTIATIONS WITH FOREIGN GOVERNMENTS

ENGAGED IN COMMERCIAL FISHING OF FISH PROTECTED BY THE
LEGISLATION FOR THE PURPOSE OF ENTERING INTO AGREEMENTS
WITH THEM AS WELL AS OTHER AGREEMENTS TO PROVIDE FOR THE
RATIONAL USE AND CONSERVATION OF CERTAIN FISHERIES.

3. WHY WE OPPOSE S-1988: WE OPPOSE THE LEGISLATION
BECAUSE THE UNILATERAL EXTENSION OF JURISDICTION
REQUIRED BY THIS BILL WILL ENTAIL SERIOUS FOREIGN POLICY
IMPLICATIONS WHICH COULD CREATE POLITICAL TENSIONS
INTERNATIONALLY. IT WOULD BE IN VIOLATION OF INTERNATIONAL
LAW. IT COULD SERIOUSLY HAMPER THE CHANCES FOR A
SATISFACTORY SETTLEMENT OF ALL ASPECTS OF THE FISHERIES
QUESTION AT THE LAW OF SEA CONFERENCE. THE U.S. HAS
CONSISTENTLY OPPOSED UNILATERAL CLAIMS BY OTHER COUNTRIES
AND WE HAVE PUT SPECIAL EFFORT INTO URGING OTHER NATIONS
TO HOLD BACK ON UNILATERAL CLAIMS. OUR CREDIBILITY
INTERNATIONALLY WOULD BE SERIOUSLY IMPAIRED IF THE U.S.
WERE TO ENGAGE IN A UNILATERAL EXTENSION. THERE IS NO
REASON TO BELIEVE THAT DISTANT WATER NATIONS FISHING OFF
OUR COAST (E.G., USSR AND JAPAN) WOULD RESPECT OUR
UNILATERAL EXTENSION; THE POTENTIAL FOR INTERNATIONAL
INCIDENTS WOULD BE GRAVE.

WE ALSO OPPOSE THE LEGISLATION SINCE IT WOULD PREJUDICE
BOTH THE SHORT AND LONG TERM INTERESTS OF OUR DISTANT
WATER FISHERMEN, PARTICULARLY OUR TUNA AND DISTANT WATER
SHRIMP FISHING INDUSTRY, AND OUR SALMON FISHING INDUSTRY.
IT COULD TRIGGER VERY DAMAGING UNILATERAL CLAIMS BY
OTHER COUNTRIES, THEREBY AFFECTING US NATIONAL INTERESTS
IN NAVIGATION AND OVERFLIGHT, PROTECTION OF THE MARINE
ENVIRONMENT, AND MARINE SCIENTIFIC RESEARCH. IT COULD
DESTROY THE LOS CONFERENCE, WHICH AFFORDS THE BEST MEANS
OF PROTECTING OUR FULL RANGE OF NATIONAL INTERESTS IN THE
OCEANS. WE ARE ALSO EXPLORING OTHER POSSIBLE MEANS OF
SOLVING THE PROBLEMS OF U.S. COASTAL FISHERIES PENDING
ATTAINMENT OF A SATISFACTORY SETTLEMENT AT THE LOS
CONFERENCE.

4. ALL INTERESTED DEPARTMENTS AND AGENCIES OF USG
UNANIMOUSLY SUPPORT OPPOSITION OF S-1988. RUSH
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